IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated : Nainital the 22nd day of August, 2005
Criminal Misc. Bail Application No.795/2005
Order on the bail application of accused

CRIMINAL SIDE

Gama Pahalwan
S/o Asak Ali
R/o Village Parmanand Pur,
P.S. - Kashipur
District – Udham Singh Nagar ….. Applicant

Versus

State of Uttaranchal ……. Opposite Party

Arising out of case crime No.2052 of 2005
U/s 363, 366 I.P.C., 3(2) v S.C. & S.T. Act
Police Station - Kashipur
District – Udham Singh Nagar

Hon'ble J. C. S. Rawat, J.

Heard Smt. Pushpa Joshi, learned counsel for the applicant, learned A.G.A. and perused the record.

Learned counsel for the applicant contended that the medical examination report of three Doctors' panel was that the first joints are fused completely at the time of medical examination and the age of the girl was also found to be more than 18 years. It was further contended the victim was a consenting party.

Considering the facts and totality of the circumstances of the case, it is a fit case for bail.

Let the applicant-accused namely, Gama Pahalwan, be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the A.C.J.M., Kahsipur.

Dated 22.08.2005 **(J.C.S. Rawat, J.)**
Shiv